

Ordinance No. 2840
CITY OF CONCORD

In the year of our Lord two thousand and eleven

AN ORDINANCE amending the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-5, Supplemental Standards.

The City of Concord ordains as follows:

SECTION I: Amend the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-5, Supplemental Standards, by adding a new Section 28-5-48, Central Business Performance (CBP) District Standards, as follows:

28-5-48 Central Business Performance (CBP) District Standards. The following standards shall apply to principal and accessory uses within the CBP District

- a) *Multi-Family Dwellings.* Multi-family dwellings are permitted in the CBP District provided that such dwelling units are located on or above the second story of building, and further provided that the first floor of a building is used for a permitted principal non-residential use in accordance with Section 28-4-5(e)(4) of this Ordinance.
- b) *Off-street Parking Requirements, Off-street Loading Requirements, and Off-street Loading Area for Refuse Containers.* The requirements for off-street parking, off-street loading areas, and off-street loading area for refuse containers are not applicable to the CBP District in accordance with Section 28-7-12(a)(1), of this Ordinance.
- c) *Parking Lots and Structures.* Parking lots shall not be permitted within one hundred (100) feet of North and South Main Streets and Storrs Street in the CBP District in accordance with 28-7-12(a)(2), of this Ordinance. Parking structures located on North Main Street, South Main Street, North State Street, South State Street, Pleasant Street, or Storrs Street shall accommodate permitted principal non-residential uses at street level, and shall meet certain architectural design standards, in accordance with Section 28-5-21, Parking Structures, of this Ordinance
- d) *Driveway Access.* No new driveway access is allowed to either North or South Main Street in the CPB District in accordance with 28-7-12(a)(2), of this Ordinance.
- e) *Dimensional Regulations.* There are no minimum yard requirements, no maximum

Ordinance No. 2840
CITY OF CONCORD

In the year of our Lord two thousand and eleven

AN ORDINANCE amending the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-5, Supplemental Standards.

lot coverage, and no minimum lot size requirement in the CBP District. There is a minimum lot frontage requirement of twenty-two (22) feet and a maximum height limit of eighty (80) feet in the CBP District. These dimensional standards are in accordance with Section 29-4-1(h), Table of Dimensional Regulations, of this Ordinance.

- f) *Views of the State House Dome.* View of the State House Dome from the I-93 and I-393 corridor shall not be obstructed by a building, structure, or sign in the CBP District, in accordance with Section 28-4-1(g)(3), of this Ordinance.
- g) *Build To Lines.* Except as otherwise specified herein, buildings along North Main Street, South Main Street, Pleasant Street, Pleasant Street Extension, Village Street, Warren Street, School Street, and Storrs Street shall be built with no front yard setback and with the front wall of the building being located at the front lot line or street right-of-way line for the ground floor and all stories above the ground floor to a height of sixty-five (65) feet above street level. For each story of a building for which the floor level is at an elevation of more than sixty-five (65) feet above street level, the front wall of those stories shall be set back a minimum of ten (10) feet from the front lot line or street right-of-way line. Buildings shall occupy a minimum of eighty percent (80%) of the length of the front lot line. Upon the granting of a conditional use permit pursuant to Section 28-9-4(b), Conditional Use Permits, of this Ordinance, buildings may be set back from the front lot line or street right-of-way line behind a widened sidewalk, or set back in part to allow for outdoor or covered public plazas or pedestrian access ways, or private arcades, terraces, or balconies.
- i. An applicant for a conditional use permit for a widened sidewalk or public plaza space shall provide adequate documentation in order for the Planning Board to make a finding that the proposed improvements will be of adequate size to accommodate public use of the same, will be of a design that will enhance the public use and enjoyment of the space, and will not adversely impact adjacent public and private property or public safety. In no event shall a public plaza space occupy more than twenty percent (20%) of the street frontage of a property.
- ii. An applicant for a conditional use permit for private arcades, terraces, or balconies shall provide adequate documentation in order for the Planning Board to make a finding that the proposed improvements will occupy no more than the minimum space necessary to accomplish the purposes of the private

Ordinance No. 2840
CITY OF CONCORD

In the year of our Lord two thousand and eleven

AN ORDINANCE amending the CODE OF ORDINANCES, Title IV, Zoning Code; Chapter 28, Zoning Ordinance; Article 28-5, Supplemental Standards.

improvements, that the improvements will provide a positive contribution to the overall urban design of the streetscape, that the improvements will enhance the land uses proposed to occupy the ground floor of the building, and that the improvements will enhance the pedestrian activity in the adjacent public way.

- h) *Building Entrances at Street Level.* No door providing entry to or exit from a building shall swing into, open or otherwise intrude into the public sidewalk. Building entrances shall be recessed into the façade to allow for ingress and egress under cover, and to allow the swing of a door to occur outside of the street right-of-way.
- i) *Ground Floor Occupancy and Transparency.* A high level of ground floor transparency shall be provided along North Main Street, South Main Street, Pleasant Street, Pleasant Street Extension, Village Street, and Warren Street, as well as in Eagle Square and Bicentennial Square in the CBP District, in order to encourage and maintain a high level of pedestrian activity in the City's downtowns. Traditional storefront window patterns shall be preserved and enhanced. A minimum of sixty percent (60%) of the length of the front of a building at ground level shall be glazed or transparent to the inside along said street frontages. A minimum of sixty percent (60%) of the occupancy of a building at the ground level shall be comprised of uses which include the sales of goods and provision of services and entertainment to customers who come to the building to obtain the goods, services, and entertainment.

SECTION II: This Ordinance shall take effect upon its passage.

In City Council
July 11, 2011
Passed